

Docket No.: K-0314



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Confirmation No.: 3892

Seung June YI

Group Art Unit: 2665

Serial No.: 09/972,051

Examiner: Davis, Cynthia L.

Filed: October 9, 2001

Customer No.: 34610

For: RADIO COMMUNICATION SYSTEM AND METHOD HAVING A RADIO
CONTROL LAYER

REPLY TO RESTRICTION REQUIREMENT

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In reply to the Office Action of May 18, 2005 wherein restriction has been required, Applicant hereby elects claims 11-14, 18-21, 38-39, 41-42, 44, 63-64, and 70-72, directed to Group II, drawn to a receiver with traverse. Further, the undersigned Elects claims 45, 46, 50, and 52 which is also directed to a receiver.

The Patent Office erroneously indicates that independent claim 45 and dependent claims 46-59 are drawn to a transceiver of Group III. However, independent claim 45 and dependent claims 46, 50, and 51 are directed to the receiver and hence, are drawn to Group II. Upon allowance of independent claim 45 directed to a receiver, it is respectfully submitted that dependent claims 47-49 and 52-59 be rejoined.

It is respectfully submitted that the subject matter of each of the designated inventions is sufficiently related that a thorough search for the subject matter of each of the designated inventions would encompass a search for the subject matter of the remaining designated inventions. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it states that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the U.S. Patent and Trademark Office.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Date: June 17, 2005